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Unit School

1379.1535
SCHO 9
c.3

District

Conversion - 7A

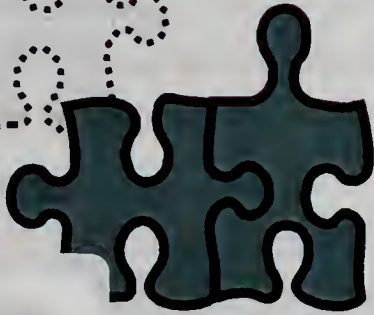
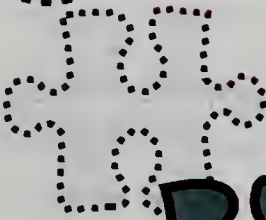
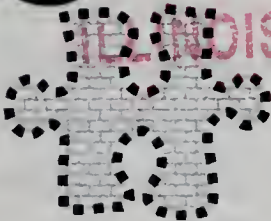
At a Glance

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Illinois State Board of Education
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7A CONVERSION

A Unit School District Conversion under Article 7A is one type of school district reorganization. Other types of reorganizations are:

- ⇒ Consolidation
- ⇒ Conversion under 11D
- ⇒ Cooperative High School
- ⇒ Detachment/Annexation
- ⇒ Dissolution/Annexation
- ⇒ High School Deactivation

Details for the above can be found in the individual brochures labeled accordingly or a brief summary of each in the brochure *School District Reorganization At a Glance*.

7A Conversions are a form of reorganization where a unit school district is dissolved, a new elementary district is created, and the same territory is annexed to a contiguous high school district. Unit districts with 250 or fewer students in grades 9 through 12 are eligible to convert under Article 7A.

A new school board for the elementary district will be elected and new tax rates for the elementary district will be developed. The new elementary district and the annexing high school district are eligible to receive incentive payments from the state. Refer to the brochure *School District Reorganization At a Glance* for additional information regarding these incentive payments.

Conversions can also be accomplished under Article 11D. 11D Conversions entail forming a new high school district as opposed to annexing to an existing high school district. Details for this process can be found in the brochure *School District Conversion – 11D*.

STEPS TO 7A CONVERSIONS:

- ⇒ Petition
- ⇒ Local public hearing
- ⇒ Regional Superintendent approval
- ⇒ State Superintendent approval
- ⇒ Referendum approval

PETITION:

- ⇒ Who may petition
 - The boards of education of each school district affected (the unit district proposed to be dissolved and the annexing high school district)
 - Registered voter signatures consisting of at least 10% of the voters from each district affected
- ⇒ Petition is filed with the Regional Superintendent of the region where the greater percent of equalized assessed valuation is situated
- ⇒ The petition shall request the submission of the proposition at a regular scheduled election
- ⇒ The petition shall describe the territory of the unit district proposed to be dissolved, which shall be the same as the territory of the proposed elementary school district and the same as the territory to be annexed to the contiguous high school district
- ⇒ The petition shall describe the territory of the existing contiguous high school district to which the territory is proposed to be annexed
- ⇒ The petition shall set forth the maximum tax rates the new elementary district and the annexing high school district shall be authorized to levy for educational, operations and maintenance, transportation, and fire prevention and safety purposes

- ⇒ When the petition contains more than ten signatures, the petition shall designate a Committee of Ten, any seven of whom may make binding stipulations on behalf of all petitioners
- ⇒ Additionally, the petition may request that a school board for the new elementary district be elected at the same election as the conversion question
- ⇒ If a petition does not result in a unit district dissolving, forming an elementary district and annexing its territory to an existing high school district, no subsequent petition can be filed for two years after the final determination on the first petition unless a substantially different petition is filed or a district involved in the first petition is placed on the State Board of Education's academic or financial watch list

LOCAL PUBLIC HEARING:

- ⇒ The Regional Superintendent shall publish in a newspaper of general circulation a notice of the petition and the date of hearing on the petition; the notification shall be published at least once each week for three successive weeks
- ⇒ The Regional Superintendent shall cause a copy of the petition to be given to the board of each district affected
- ⇒ The hearing on the petition is to be held not more than 30 days after the last date of publication of the notice
- ⇒ The petitioners shall pay the expense of publishing the notice and the expense of the transcript of the public hearing
- ⇒ Any resident of any district affected may appear and present evidence in support of or in opposition to the petition

REGIONAL SUPERINTENDENT

DECISION:

- ⇒ The Regional Superintendent shall consider:
- The ability of the new elementary district and the annexing high school district to meet standards of recognition as prescribed by the State Board of Education
 - The school needs and conditions in all territory described in the petition and in the area adjacent thereto
 - The division of funds and assets which will result if the petition is approved
 - Whether it is for the best interests of the schools of the area and the educational welfare of the pupils therein that such petition is approved
- ⇒ Within 14 days after the conclusion of the hearing, the Regional Superintendent shall make a decision either approving or denying the petition
- ⇒ Upon the Regional Superintendent approving or denying the petition, he/she shall submit the petition and all evidence submitted to the State Superintendent of Education

STATE SUPERINTENDENT DECISION:

- ⇒ The State Superintendent shall review the entire record of the local hearing and take into consideration:
- Whether the proposed elementary district and annexing high school district will have sufficient size and financial resources to provide and maintain a recognized educational program for the respective districts
 - Whether the dissolution of the unit district, creation of an elementary district, and annexation of the same territory to the existing high school

district is for the best interests of schools of the area and the educational welfare of the pupils therein

- Whether the territory of the proposed elementary school district and the territory of the existing high school district are compact and contiguous for school purposes

⇒ The State Superintendent shall approve or deny the petition within 30 days after the decision of the Regional Superintendent

⇒ The decision rendered is deemed an “administrative decision” as defined in the Code of Civil Procedure

- Any resident who appears at the hearing or any petitioner or board of education of any district affected may file a complaint for judicial review within 35 days after a copy of the decision sought to be reviewed was served by certified mail upon the party affected

REFERENDUM APPROVAL:

⇒ The proposition must pass by a majority in each affected district (the unit district proposed to be dissolved and the annexing high school district)

FREQUENTLY ASKED QUESTIONS:

Q. How are the assets and liabilities of the dissolved unit district divided between the new elementary district and the annexing high school district?

A. The newly created elementary district shall receive all the assets and assume all the liabilities and obligations of the dissolved unit district. The School Code also allows the assets and liabilities of the dissolved unit district to be divided between the new elementary district and

annexing high school district upon the stipulation of the school boards of each affected district and the approval of the Regional Superintendent.

Q. Are the new elementary district and the annexing high school district eligible for Reorganization Incentives?

A. The annexing high school district is eligible for all four Reorganization Incentives. The new elementary district is eligible for the \$4,000 per Full-Time Certified Staff Incentive. A summary of each of the incentive payments is in the brochure *School District Reorganization At a Glance*.

Q. How are tenured teachers of the dissolved unit district divided between the new elementary district and the annexing high school district?

A. Teachers having tenure with the unit district at the time of its dissolution shall be transferred as follows:

- If, for the preceding five years, a teacher was employed full time in grades 9 through 12, then such teacher shall be transferred to the annexing high school district
- If, for the preceding five years, a teacher was employed full time in grades Kindergarten through 8, then such teacher shall be transferred to the newly created elementary district
- If a full-time teacher does not fall into either of the above categories, then the teacher shall be transferred to the annexing high school district or the newly created elementary district, whichever district such teacher shall request

The legal basis for this transfer of tenure rights is found in Section 24-12 of the

School Code. The positions held by tenured teachers at the unit district being dissolved shall be transferred to the control of the newly created elementary district board or the annexing high school board who shall treat the transferred teachers in the same manner as if they had earned their tenure in the district to which they are transferred.

Q. After a 7A Conversion becomes effective, how will the taxpayers of the dissolved unit district be affected?

A. As a unit district, taxpayers paid property taxes to that entity. After the 7A Conversion becomes effective, taxpayers within the dissolved unit district will now pay property taxes to the newly formed elementary district and the annexing high school district. The first year tax rates for educational, operations and maintenance, transportation and fire prevention and safety purposes will be listed in the petition and on the ballot question.

This brochure is not to be used in place of the School Code, but as an informational tool. For specific information regarding the dissolution of a unit district, the formation of a new elementary district, and the annexation of the same territory to a contiguous high school district refer to Article 7A.

For additional information and assistance, please contact the School Business and Support Services Division of the Illinois State Board of Education at 217/785-8779. Information is also available on the ISBE web page at:

www.isbe.net/sfms/htmls/reorg_school.htm